

REMARKS

Claims 1 through 20 were pending in the application when an Office Action was mailed June 27, 2003, with respect to the above-identified application. Claims 1-4, 7-13, and 16-18 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,227,491 to Stephen et al. ("Stephen et al."). In addition, Claims 5-6, 14-15, and 19-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Stephen et al. in view of U.S. Patent No. 3,050,790 to Wakefield ("Wakefield"). The Office Action was not made final.

Based on the amendments and remarks made herein, Applicant respectfully requests reconsideration and allowance of Claims 1-20.

Rejections Under § 102(b)

Claims 1-4, 7-13, and 16-18 were rejected under 35 U.S.C. § 102(b) as being anticipated by Stephen et al. The Office Action stated that:

"In regards to **claim 1**, Stephan et al. teach a releasable snap-in window assembly (W) for an aircraft having a sidewall (6) with an inner perimeter that defines an opening (7). The assembly is comprised of an inner window frame (1) attachable to the sidewall (6) adjacent to the inner perimeter by at least one first deformable mechanism (13) tensionably securing a shaped flange (unnumbered) of the inner window frame (1) to the sidewall (6). The inner window frame defines (1) a first opening. An outer window frame (3) is attached to the inner window frame (1) adjacent to the first opening by at least one second deformable mechanism (31) tensionably securing the outer window frame (3) to the inner window frame (1). The outer window frame (3) defines a second opening."

(Office Action Mailed June 27, 2003, page 4, paragraph 1; emphasis added.) The Office Action includes a prefacing explanation that clarifies the Examiner's position that Stephan et al.'s first deformable mechanism includes one or more "spring fasteners" used to secure Stephan et al.'s window unit:

"The Examiner disagrees with the Applicant's argument that the Stephan et al. reference fails to teach the inner window frame to be secured to the sidewall with a first deformable mechanism. The disclosure states 'two snap fastenings 13 serve for the detachable connection of the window unit W to the side-wall panel

6' (col 4, lines 46-48). The Applicant also argues that the Stephan et al. reference uses screw-type brackets, etc. to attach the inner window frame to the sidewall. However, since the Applicant's claim only requires a deformable mechanism to attach the frame to the sidewall, the Examiner believes the reference meets this limitation."

(Office Action "Response to Arguments," page 2, paragraph 2; emphasis added.) Applicant respectfully traverses.

Stephan et al. describes a window unit involving the use of separate devices to attach a window unit to a sidewall. Stephan et al. describes a system to attach a window unit "to the side-wall panel or the like, or to components connected thereto" (Column 1, lines 42-43) involving components or a specially formed sidewall *just to receive* its snap fasteners:

"FIG. 2 shows a side-wall panel 6 for accommodating three window units W, in the view from the outside O in the direction of the aircraft cabin I. Above the left-hand opening 7 in the side-wall panel 6 a sun-visor guide 10 is connected to the side-wall panel 6 via four screws 11 or the like. In addition to the task of guiding a sun-visor 4 of the window unit W, the sun-visor guide 10, when installed, also has the possibly necessary components for connecting the window unit W to the side-wall panel 6. According to the invention, the window unit W has at least one centering device and at least two snap fastenings 13. The sun-visor guide 10 contains the possibly necessary mating parts of the snap fastenings 13 on the window unit W. These could, of course, also be provided directly on the side-wall panel 6."

(Column 4, lines 7-20; emphasis added.) Thus, Stephan et al. expressly states it is "necessary" to connect a sun-visor guide to the side-wall with screws or the like or form a similar structure on the sidewall to have "the necessary mating parts" to receive the snap fastenings used to secure the window unit of Stephan et al.

Furthermore, the "snap fastenings" disclosed by Stephan et al. are described as separate devices. The "snap fastenings" of Stephan et al. stand apart from the sidewall as described in detail in Figure 8 of Stephan et al. and its accompanying text:

"On the covering frame 5 is arranged the snap fastening 13 in the form of a spring element 23, preferably a steel spring. To fasten it the spring element 23 is provided, for example, with a barb 29 at the appropriate point (cf. FIG. 9), which barb engages into a suitable cut-out on the covering frame 5. When the window unit W is tilted into the opening 7 in the side-wall panel 6, the flat region of the

spring element 23 is first passed over before the end of the spring element 23 is compressed and then latches into a corresponding mating part of the sun-visor guide 10 or behind the wall of the sun-visor guide 10.”

(Column 5, line 58 through column 6, line 2; emphasis added). As described by the text of Stephan et al. and as clearly shown in Figure 9, the snap fastening is a separate, standalone element that is installed to join together the covering frame and the sun-visor guide to which it is installed.

Further, although Stephan et al.’s snap fastener may include a “securing element 24,” the securing element does not secure the snap fastening to the sidewall. As explained in Stephan et al., the securing element is used to control the deformability of the snap fastening:

“To lock the snap fastening 13, a securing element 24 is mounted rotatably on the spring element 23, the rotation being able to be completed by a tool which can be inserted into an appropriate opening, for example a hexagon socket 25. As can better be seen in FIG. 9, the securing element 24 is designed in the form of two opposite hooks which in the position illustrated in FIG. 9 are placed outside the region of the spring element 23, thereby enabling the spring element 23 to be deformed. In a position pivoted with respect thereto through 90.degree., which is shown by dashed lines in FIG. 8, the hooks of the securing element 24 bear against the inside of the spring element 23 and, as a result, the latter is blocked and the window unit W cannot be removed from the side-wall panel 6..”

(Column 6, lines 2-15; emphasis added.) Thus, the securing element of Stephan et al. only “secures” the deformability or non-deformability of the snap fastening. The securing element does not secure the snap fastening to the sidewall.

Accordingly, Applicant respectfully submits that Stephan et al. does not anticipate the claimed invention. The snap fastenings disclosed by Stephen et al. couple portions of Stephen et al.’s window unit together, but do not teach or suggest “at least one deformable mechanism secured to an outer surface of a sidewall” for “tensionably securing a shaped flange of the inner window frame,” thereby rendering the “inner window frame attachable to the sidewall” as recited in Claim 1, as amended, or “at least one deformable mechanism secured to an outer surface of a sidewall and configured to tensionably secure a shaped flange of the inner window frame to the sidewall” as recited in Claim 10, as amended. The snap fastenings of Stephen et al. join a

mounting formed on or joined with the sidewall to the covering frame. As clarified by Figure 9 of Stephen et al., the snap fastening is a separate unit used to join portions of Stephen et al.'s window unit together once the portions of Stephen et al.'s window unit are in place. Thus, Applicant respectfully submits that Stephen et al. does not anticipate Claim 1, as amended, or Claim 10, as amended. Applicant respectfully requests entry of the amendment and reconsideration and allowance of Claims 1 and 10.

Because Claims 2-4 and 7-9 depend from and add additional limitations to patentable Claim 1, and Claims 11-13 and 16-18 depend from and add additional limitations to patentable Claim 10, Applicant respectfully submits that Claims 1-4, 7-13, and 16-18 are in condition for allowance. Applicant respectfully requests reconsideration and allowance of Claims 2-4, 7-9, 11-13, and 16-18.

Rejections Under § 103(a)

Claims 5-6, 14-15, and 19-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Stephen et al. in view of Wakefield. The Office Action stated that Stephen et al. "teach the claimed invention except for specifying the releasable coupling means to further include a pawl latch mechanism," and that Wakefield shows "[i]t is well known in the art of releasable window mechanisms to use arm latch apparatus to disconnect the window from the sidewall portion of the airplane." The Office Action set forth the position that "it would have been obvious to one having ordinary skill in the art at the time of the invention to modify the window structure disclosed by Stephen et al., to include a pawl latch mechanism, as shown by Wakefield, in order to provide an easy method of releasing the window from the side wall panel of the aircraft." Applicant respectfully submits that a prima facie case of obviousness has not been established.

As disclosed above, the snap fastening of Stephen et al. only "secures" deformability of the snap fastening. Stephen et al. does not teach or suggest securing the snap fastening to the

sidewall. Stephen et al. also does not disclose providing an additional securing mechanism in addition to the snap fastenings to secure the window assembly. Wakefield does not overcome these shortcomings of Stephen et al. As a result, the combination of Stephen et al. and Wakefield does not teach or suggest The snap fastenings disclosed by Stephen et al. couple portions of Stephen et al.'s window unit together, but do not teach or suggest "at least one deformable mechanism secured to an outer surface of a sidewall" for "tensionably securing a shaped flange of the inner window frame," thereby rendering the "inner window frame attachable to the sidewall" as recited in Claim 1 or "at least one deformable mechanism secured to an outer surface of a sidewall and configured to tensionably secure a shaped flange of the inner window frame to the sidewall" as recited in Claim 10.

Claims 5-6 depend from and add additional limitations to patentable Claim 1, and Claims 14-15 depend from and add additional limitations to patentable Claim 10. Thus, Applicant respectfully submits that Claims 5-6 are 14-15 are patentable over the combination of cited references. Applicant respectfully requests reconsideration and allowance of Claims 5-6 and 14-15.

Regarding, Claim 19, Stephen et al. does not teach or suggest using "an inner window frame attachable to the sidewall adjacent to an inner perimeter by at least one first deformable mechanism secured to an outer surface of the sidewall and configured to tensionably secure a shaped flange of the inner window frame to the sidewall," and a pawl latch mechanism for engaging the shaped flange along one or more index points to couple and decouple the window assembly from the outer sidewall" as recited in Claim 19, as amended. Although Wakefield teaches using a latch for alternatively opening and sealing an openable aircraft window, Wakefield does not overcome the deficiency of Stephan et al. The latch disclosed by Wakefield is the sole means for securing the openable aircraft window. Thus, Wakefield does not teach or suggest "an inner window frame attachable to the sidewall adjacent to an inner perimeter by at least one first deformable mechanism secured to an outer surface of the sidewall and configured

to tensionably secure a shaped flange of the inner window frame to the sidewall.” Moreover, Wakefield does not suggest using “a pawl latch mechanism for engaging the shaped flange along one or more index points to couple and decouple the window assembly from the outer sidewall.” Accordingly, Applicant respectfully submits that a prima facie case of obviousness has not been established with regard to Claim 19 as amended. As a result, Applicant respectfully submits that Claim 19, as amended, is patentable over the combination of Stephen et al. and Wakefield and in condition for allowance. Applicant very respectfully requests entry of the amendment, and reconsideration and allowance of Claim 19.

Claim 20 depends from and adds additional limitations to patentable Claim 19. Thus, Applicant respectfully submits that Claim 20 is patentable over the combination of cited references. Applicant respectfully requests reconsideration and allowance of Claim 20.

CONCLUSION

In view of the above amendments and remarks, Applicant very respectfully submits that all claims pending in this application are patentable over the cited references and are in condition for allowance. Claims 1-4, 7-13, and 16-18 are not anticipated by Stephen et al., and Claims 5-6, 14-15, and 19-20 are not obvious in light of the combination of Stephen et al. and Wakefield. Applicant very respectfully requests entry of the Amendment, and reconsideration and allowance of all claims.

Respectfully submitted,

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MAIL CERTIFICATE

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